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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/597,403	06/21/2000	Takahiro Moro	862.C1931	7168
5514	7590	12/10/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			BRINICH, STEPHEN M	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/597,403

Applicant(s)

MORO ET AL.

Examiner

Stephen M Brinich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 87-107 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 87-107 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 87-107 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin in view of Applicant's admitted Prior Art.

Re claims 87-88, 93-94, 99-100, & 105-107, Shin discloses (Abstract lines 7-11; column 5, lines 26-60; column 6, line 36 - column 7, line 37; column 9, lines 45-64; Figures 5-6) a printer driver in which a plurality of color correction look-up tables corresponding to a plurality of respective conditions (i.e. various media types) are stored in a database. A list of these conditions is displayed to a user (Figure 6), and one of them is selected for the current operation. After this selection is made, a color correction process is carried out by using the color correction look-up table corresponding to that selection.

Shin does not disclose that the correspondence relationship between the conditions (media types "PLAIN", "PREMIUM COATED PAPER", "TRANSPARENCY", etc) and the plurality of color correction look-up tables (86, 96, 98, 100) is stored in a second table. The storage of this relationship in some form is inherent to the described operation of Shin, which selects one

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of these color correction look-up tables based upon this selection of media type (column 9, lines 53-60). The storage of this relationship in the form of a table, similar to the disclosed tables for storing each individual set of color correction information, would be an expedient obvious to one of ordinary skill in the art. The suggestion/motivation for doing so would have been to simplify the Shin data handling system by avoiding the use of two different mechanisms for handling one-to-one correspondence data.

Therefore, it would have been obvious to use a second table to store the correspondence relationship between the conditions (media types) and the plurality of color correction look-up tables to obtain the invention as specified in claims 87-88, 93-94, 99-100, & 105-107.

Re claims 87-89, Shin further discloses (Figure 1) the use of this printer driver in the form of a computer program (which must inherently be stored on a computer readable medium to operate) that generates an output that is sent to a printer.

Re claims 89, 95, & 101, a (not further specified) process of "color conversion" according to a lookup table is not patentably distinct from a recitation of "color correction" according to a lookup table, inasmuch as each is the replacement

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of an input color with an output color according to a defined scheme embodied in the lookup table.

Re claims 90, 96, & 102, Shin further discloses (column 9, lines 3-24) the use of a color correction table for the K (black/grayscale) color component.

Re claims 91, 97, 103, & 105-107, Shin further discloses (column 9, lines 18-20) a halftone processor to quantize color levels, but does not describe the use of a lookup table for this quantization. The use of a lookup table selected according to print mode from a set of lookup tables for color level quantization is recognized as known Prior Art by Applicant (page 1, line 25 - page 2, line 5). The selection of a lookup table for the color level quantization of Shin in order to correlate color level quantization to the print media type (analogous to the disclosed correlation of color correction lookup table selection) in order to further optimize the printing process to the print media would be an expedient obvious to one of ordinary skill in the art.

Re claims 92, 98, & 104, Shin discloses the use of a color correction information table having color correction information for a given media type, but does not disclose the use of a margin information table having margin information for a given media type. The use of a margin information (e.g. left margin,

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top margin, vertical and horizontal printable sizes) associated with a given media type (i.e. paper type) is recognized as known Prior Art by Applicant (page 6, lines 10-25). The use of a lookup table containing this margin information for a given media type in addition to the color correction information for the given media type in order to enable automatic optimization of both of these image-printing attributes for a given paper type would be an expedient obvious to one of ordinary skill in the art.

Response to Arguments

3. Applicant's arguments, see 10/25/04 Response with respect to the rejection(s) of claim(s) 87-90, 93-96, & 99-102 under 35 USC §102 have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Shin under 35 USC §103.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

A handwritten signature in black ink, reading "Stephen Brinich". The signature is written in a cursive, flowing style.

Stephen M Brinich

Examiner

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smb

December 9, 2004